

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

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NOVARTIS PHARMACEUTICALS :
CORPORATION, NOVARTIS PHARMA AG :
and NOVARTIS INTERNATIONAL :
PHARMACEUTICAL LTD., :
: :
Plaintiffs, :
: :
v. : Civil Action No. 05-1887 (DMC)
: :
TEVA PHARMACEUTICALS USA, INC. :
: :
Defendant. :
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CONSENT ORDER AND JUDGMENT

Plaintiffs Novartis Pharmaceutical Corporation, Novartis Pharma AG and Novartis International Pharmaceutical Ltd. (individually or collectively “Plaintiffs”) and Defendant Teva Pharmaceuticals USA, Inc. (“Teva”), having consented to the entry of this Judgment, IT IS HEREBY ORDERED, ADJUDGED AND DECREED with respect to all claims asserted in civil action 05-1887 (DMC) that:

1. This Court has jurisdiction over the parties and the subject matter of this action.
2. Novartis International Pharmaceutical Ltd. owns, licenses or has the legal title and interest in and to United States Patent No. 5,246,937 (“the ‘937 patent”).
3. The ‘937 patent is valid and enforceable.
4. Teva has infringed the ‘937 patent by making, using, offering to sell, selling and importing 125 mg, 250 mg and 500 mg strength famciclovir oral tablet products in the United States under Teva’s ANDA No. 77-487.

5. All claims and counterclaims in the above-captioned matter are hereby dismissed with prejudice.

6. Each of the parties shall bear its own costs and attorney fees.

7. This Judgment constitutes a final disposition of all disputes between the parties concerning this action.

8. The parties waive any right to appeal from this Judgment.

STIPULATED AS TO FORM AND CONTENT

By: /s/ Michael E. Patunas

By: /s/ William J. O'Shaughnessy

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Novartis International Pharmaceutical Ltd.

Date: February 16, 2010

Date: February 16, 2010

SO ORDERED

Honorable Dennis M. Cavanaugh
United States District Judge